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**From:** Hopkins, Yvette [Hopkins.Yvette@epa.gov]  
**Sent:** 3/19/2019 6:52:05 PM  
**To:** Maignan, Tawanda [Maignan.Tawanda@epa.gov]  
**Subject:** FW: AAPCO's concerns - the right of SLAs to issue certain 24(c) registrations

One more...

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**From:** Roseann Kachadoorian <rkachadoorian@oda.state.or.us>  
**Sent:** Tuesday, March 19, 2019 2:04 PM  
**To:** Hopkins, Yvette <Hopkins.Yvette@epa.gov>  
**Subject:** AAPCO's concerns - the right of SLAs to issue certain 24(c) registrations

**From:** Roseann Kachadoorian <rkachadoorian@oda.state.or.us>  
**Date:** March 19, 2019 at 8:20:02 AM PDT  
**To:** Aline Delucia <aline.delucia@nasda.org>  
**Subject:** Fwd: AAPCO's concerns - the right of SLAs to issue certain 24(c) registrations

This went email went to the states a few moments ago.

Rose

Sent from my iPhone

Begin forwarded message:

**From:** Amy Sullivan <aapco.sfireg@gmail.com>  
**Date:** March 19, 2019 at 7:34:35 AM PDT  
**To:** Amy Sullivan <aapco.sfireg@gmail.com>  
**Subject:** FW: AAPCO's concerns - the right of SLAs to issue certain 24(c) registrations

Forwarded by AAPCO

Amy Sullivan  
Executive Secretary  
AAPCO-SFIREG  
406-431-3176  
<https://aapco.org>  
<https://twitter.com/aapcoexecsec>

On 3/19/19, 10:04 AM, "Roseann Kachadoorian"

<[rkachadoorian@oda.state.or.us](mailto:rkachadoorian@oda.state.or.us)> wrote:

Yesterday AAPCO members learned that EPA is now re-evaluating its approach to reviewing FIFRA Section 24(c) "requests", and the circumstances under which it will exercise its authority to disapprove those requests.  
See,

<https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registrations>

What appears to have initiated high level EPA's interest/concern are the Section 24(c) registrations that some states have granted for dicamba containing products. EPA specifically highlighted that these state registrations are to: add a more restrictive cut-off date, add training and certification requirements, or to restrict the use directions by limiting the number of treatments permitted by the federal label.

Historically, Section 24(c) registrations have been issued by the State Lead Agencies (SLAs) for a wide variety of state determined reasons, including: adding additional use sites, pests or application methods; changing the timing of applications or conditions; increasing or decreasing the number of applications; or adding environmental safety restrictions.

Many AAPCO members find it deeply concerning that EPA finds it now

necessary to re-evaluate its approach to reviewing 24(c) registrations;

and in addition, AAPCO does not consider these state granted

registrations "requests". It is important for SLAs to be able to grant

24(c) registrations for a wide-variety of state determined reasons,

including to protect non-target plants and to insure that applications

are conducted in such a manner that technology options remain viable.

The AAPCO Board of Directors is in the process of developing a letter to

EPA. State Lead Agencies are strongly encouraged to contact EPA in

writing to state their concerns. Do not hesitate to contact AAPCO if you

have comments that you would like to share.

Thank you

Rose Kachadoorian

AAPCO President

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<https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registration>

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<<https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registration>

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Posted 03/19/19

This is the time of year that EPA receives many special local needs

registration requests from states under section 24(c) of FIFRA. Section

24(c) states that "A State may provide registration for additional uses

of federally registered pesticides formulated for distribution and use

within the State to meet special local needs . . ." EPA currently

receives approximately 300 24(c) requests annually. Many of these

requests are for additional uses not considered by the federal label

e.g., applying the pesticide to a different crop to address an outbreak

of disease, adding an alternative application method that suits the

practices of that state, or adding a new pest species that is not on the

federal label. However, some requests are to narrow the federal label,

such as to add a more restrictive cut-off date, to add training and

certification requirements, or to restrict the use directions

by limiting the number of treatments permitted by the federal label.

Due to the fact that section 24(a) allows states to regulate the use of

any federally registered pesticide, and the fact that some states have

instead used 24(c) to implement cut-off dates (and/or impose other restrictions), EPA is now re-evaluating its approach to reviewing 24(c) requests and the circumstances under which it will exercise its authority to disapprove those requests. Before making any changes in this regard, EPA intends to take public comment on any potential new approaches before adopting them. EPA is not making any immediate changes in this area and does not expect any potential changes will impact 24(c) requests that states submit ahead of the 2019 growing season.